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2. The applicant is aggrieved by the punishment of forfeiture of one year's approved service permanently, entailing reduction in pay. Briefly, stated, ^athat disciplinary proceedings were initiated against him and by the Annexure 'D' order dated 16.1.80 of the Deputy Commissioner of Police (Central District), Respondent No.IV, the penalty of forfeiture of one year's approved service permanently entailing reduction in pay was imposed. An appeal was filed against this order before the Additional Commissioner of Police, III respondent, who vide order dated 2.7.80 (Annexure-E) dismissed the appeal. Thereafter the applicant preferred a revision petition before the Commissioner of Police (Respondent No.II) which was also dismissed vide order dated 23.1.1981 (Ann.F).

3. Thus, the final order of the competent authority in accordance with Statutory Rules was passed on 23.1.1981. Thereafter, the applicant submitted representation to the Lt. Governor of Delhi. A copy of the representation is not annexed to the O.A. This representation has been rejected by the order dated 28.7.1988 (Ann.G) from the Joint Secretary (Home) Delhi Administration to the Deputy Commissioner of Police, Head quarter with reference to the letter dated 18.8.1981. It would thus appear that representation was filed

before some time 18.8.1981. OA is filed on 4.9.1989

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4. When the matter came up ~~today~~² before the Bench, the question of delay in filing of the O.A. was raised. Therefore, applicant filed MP 71/90 for condoning the delay. It is stated in the M.P. that the representation to the Lt. Governor Delhi who is the Administrator of Delhi and exercises superintendence over all the departments of the Delhi Administration is competent and hence the rejection of the representation by the Lt. Governor should be taken as commencement of the cause of action. Even, otherwise, it is prayed that if this view is not accepted, the delay be condoned as the applicant would otherwise be put to ~~see~~ the serious loss.

5. We have heard the ld. counsel for the respondents. She states that statutory rules do not provide for such a representation.

6. This objection is ~~being~~^{well} taken because, in so far as the disciplinary action is concerned the Delhi Police (Disciplinary and Appeal) Rules, 1980 provide only for an appeal and a revision. Therefore, if the applicant was aggrieved by the order of the IInd respondent (Commissioner of Police) dismissing the statutory revision vide order dated 23.1.1981, he should have resorted to the appropriate legal remedies against that order.

Representation to the Lt. Governor will not, in any case, extend the period of limitations available to him for approaching the Tribunal.

7. In ^{the} view of ^{the} ~~this~~^{held} matter, we ~~satisfy~~ that this application is barred by limitation and accordingly it is dismissed.

Lakshmi Swaminathan
(Lakshmi Swaminathan)
Member (J)

N.V. Krishnan
27.4.89
(N.V. Krishnan)
Vice Chairman (A)